

NOTICE OF PROPOSED ACTION

by the

U.S. Environmental Protection Agency (EPA) Region IX

Public Notice #: AZ-08-W- 15

Public Notice Date: August 19, 2008

Comment Period Closes: September 18, 2008

The U.S. EPA is issuing a notice of proposed action under the Clean Water Act to reissue National Pollutant Discharge Elimination System (NPDES) permits:

AZ0024635: Asarco Mission Complex, 4201 West Pima Mine Road, Sahuarita, AZ

AZ0024601: Cyprus Tohono Corporation (CTC) in Casa Grand, AZ.

The Mission Complex is a commercial open pit copper mine and underground copper mine spread out over an area of approximately 23 square miles and includes associated crushing, grinding and flotation facilities, tailings facilities, waste rock dumps, and warehouse, maintenance and administrative areas. The permit establishes effluent limits for surface water runoff discharges to unnamed tributaries of the Santa Cruz River. The Mission Complex is located both on Tohono O'Odham Nation tribal lands and on private lands. Therefore, the Arizona Department of Environmental Quality is proposing to reissue a similar permit (AZ0024597) for discharges located on State lands.

The Cyprus Tohono Corporation operates an inactive mine on lands leased from the Tohono O'odham Nation. CTC is currently producing copper from the residual leaching of the heap leach pad, but the mine is otherwise inactive and is in a status of care and maintenance. The facility obtained a permit to treat and discharge up to 140 million gallons of treated pit water, which was completed in 2005 in full compliance with the permit. The facility will retain the permit in case it becomes necessary to treat additional pit lake water, although no discharge is planned at this time.

EPA is soliciting comments on the proposal. EPA will consider all comments received during comment period before taking final action. To submit comments, or to obtain additional information including the proposed permit and administrative record, please contact:

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